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Atty Docket No. 018781-005710US

PTO FAX NO.: 1-703-872-9306

ATTENTION: Office of Petitions

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I hereby certify that the following documents in re Application of Michelle Browner et al., Application No. 10/004,287, filed October 23, 2001 for ANTIINFLAMMATION AGENTS are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Petition to withdraw from Issue
2. Petition Fee Transmittal
3. Request for Continued Examination
4. Petition Requesting the Consideration of an Unintentionally Delayed Priority Claim (2 pages)
5. Copy of our submission of 08/06/2003 (7 pages)
6. Copy of Corrected Filing Receipt mailed 08/29/2003 (2 pages)
7. Rule 1.312 Amendment After Allowance (3 pages)

Number of pages being transmitted, including this page: 18

Dated: January 24, 2005


Marta R. Vanegas, Prosecution Paralegal

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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 925-472-5000
Fax: 925-472-8895 M3H/mrv

60405558 v1

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office,
Fax No. 1-703-872-9306 on January 24, 2005

PATENT
Docket No.: 018781-005710US
Client Ref. No.: T00-007-1

TOWNSEND and TOWNSEND and CREW LLP

By: Marta Vanegas

Marta R. Vanegas

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JAN 24 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michelle Browner et al.

Application No.: 10/004,287

Filed: October 23, 2001

For: ANTIINFLAMMATION AGENTS

Examiner: Balasubramanian, V.

Art Unit: 1624

**PETITION TO REQUEST THE
CONSIDERATION OF AN
UNINTENTIONALLY DELAYED
PRIORITY CLAIM UNDER
37 CFR §1.78(6)**

Office of Petitions
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicants hereby respectfully request the Commissioner to acknowledge the priority claim to an earlier filed domestic application. On October 23, 2001 Applicants submitted a priority claim with the filing papers, however, the priority application number contained a typographical error. Upon noticing this typographical error, on August 6, 2003 Applicants submitted a Request for Corrected Filing Receipt and a corrective Supplemental Application Data Sheet (attached as Exhibit A). On August 29, 2003 the Office issued a Corrected Filing Receipt indicating the correct claim to the earlier filed application number of 60/243,581 (attached as Exhibit B).

Upon reviewing our file before issuance of the subject application, Applicants were concerned whether our submission of August 6, 2003 met the requirements of 37 CFR 1.78(6) in that it did not contain a Petition and statement that the

Michelle Browner et al.
Application No.: 10/004,287
Page 2

PATENT

entire delay was unintentional, or the payment of the required surcharge under 37 CFR 1.17(t). Applicants respectfully submit that the entire delay between the date the claim was due under 37 CFR §1.78(a)(5)(ii) and the filing of this petition and the attached papers was unintentional.

Therefore, Applicants hereby respectfully request that the Office charge the applicable surcharge under 37 CFR 1.17(t) of \$1,370.00 to the Deposit Account No. 20-1430 of the undersigned. Please also charge any additional fees, and credit any overpayment, to the above-referenced Deposit Account.

CONCLUSION

In view of the foregoing, Applicants respectfully request that the Office acknowledge our delayed claim for the benefit of an earlier filed domestic application under 37 CFR 1.78(6). The application number of the earlier filed application is 60/243,581. Applicants also respectfully request that the Office enter the attached Amendment in the subject application.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



Mark H. Hopkins
Reg. No. 44,775

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
M3H:mrw

60405481 v1

EXHIBIT A

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TO THE U.S. PATENT AND TRADEMARK OFFICE
Please stamp the date of receipt of the following document(s) and return this card to us

RE: Michelle F. Browner et al.
TITLE OF DOCUMENT(S): Request for Corrected Filing Receipt (+ copy), copy of
Filing Receipt, Letter, Supplemental ADS

Application No.: 10/004,287
File No. 018781-005710US
Date Due _____
Date Mailed: 8/6/03
Atty/Secty. WBK/jkh

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/004,287
Applicant : Michelle F. Browner
Filed : January 29, 2003
TC/A.U. : 1624
Examiner : Balasubramanian, V.
Docket No. : 018781-005710US
Customer No. : 20350

Confirmation No. 3796

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Alexandria, VA 22313-1450

LETTER

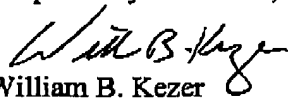
Sir:

According to MPEP 601.05, enclosed is a Supplemental Application Data Sheet requesting correction of the "Domestic Priority data as claimed by applicant" section of the Filing Receipt. This error also occurs on the first page of the application. The Filing Receipt is incorrect in that the provisional application serial number is incorrect. Applicants respectfully request that the change on the ADS be made of record and that the Filing Receipt be changed to read as follows:

60/243,581

Also, enclosed is a Request For Corrected Filing Receipt.

Respectfully submitted,


William B. Kezer
Reg. No. 37,369

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200 /Fax: (415) 576-0300
WBK/jkh

Supplemental Application Data Sheet

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
Claims Priority of	Provisional	60/243,582 60/243,581	10/26/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/004,287
Applicant : Michelle F. Browner
Filed : January 29, 2003
TC/A.U. : 1624
Examiner : Balasubramanian, V.
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

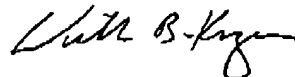
Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in the "Domestic Priority data as claimed by applicant" in that the provisional application serial number is incorrect. Please correct the Filing Receipt to read as follows:

60/243,581

The correction is due to applicant's error and the fee therefor, pursuant to 37 CFR §1.19(h), of \$25.00 is to be charged to Deposit Account No. 20-1430. Please charge any additional fees or credit overpayment to the above-noted Deposit Account. This Petition is submitted in duplicate.

Respectfully submitted,



William B. Kezer
Reg. No. 37,369

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200 /Fax: (415) 576-0300

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 AND CREW LLP

JAN 24 2005

MAY 08 2003



UNITED STATES
 PATENT AND
 TRADEMARK OFFICE

018781-005710US WBK

Commissioner for Patents
 Washington, DC 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/004,287	10/23/2001	1624	2664	018781- 005710US		101	7

CONFIRMATION NO. 3796

20350

TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

REPLACEMENT FILING RECEIPT

00000000009852376

Date Mailed: 04/16/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michelle F. Browner, San Francisco, CA;
 David L. Clark, Albany, CA;
 Timothy D. Cushing, Pacifica, CA;
 Xiaolin Hao, So. San Francisco, CA;
 Ronald C. Hawley, Mountain View, CA;
 Xiao He, Foster City, CA;
 Juan C. Jaen, Burlingame, CA;
 Sharada S. Labadie, Sunnyvale, CA;
 Marie-Louise Smith, Half Moon Bay, CA;
 Francisco X. Talamas, Mountain View, CA;
 Nigel P.C. Walker, Burlingame, CA;
 Marc Labelle, Burlingame, CA;

Assignment For Published Patent Application

Syntex (U.S.A.) LLC, Palo Alto, CA;
 Tularik Inc., So. San Francisco, CA;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/243,581-10/26/2000
 60/243,581

Foreign Applications

If Required, Foreign Filing License Granted: 03/11/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Antiinflammation agents

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/004,287
Applicant : Michelle F. Browner
Filed : January 29, 2003
TC/A.U. : 1624
Examiner : Balasubramanian, V.
Docket No. : 018781-005710US
Customer No. : 20350

Confirmation No. 3796

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Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

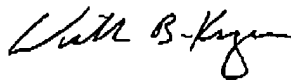
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Respectfully submitted,



William B. Kezer
Reg. No. 37,369

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200 /Fax: (415) 576-0300

EXHIBIT B



UNITED STATES PATENT AND TRADEMARK OFFICE

018781-005710US WBK

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/004,287	10/23/2001	1624	2864	018781-005710US		101	7

CONFIRMATION NO. 3796

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CORRECTED FILING RECEIPT



TOWNSEND & TOWNSEND
AND CREW LLP

0000000010793251

SEP 09 2003

Date Mailed: 08/29/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

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Ronald C. Hawley, Mountain View, CA;
Xiao He, Foster City, CA;
Juan C. Jaen, Burlingame, CA;
Sharada S. Labadie, Sunnyvale, CA;
Marie-Louise Smith, Half Moon Bay, CA;
Francisco X. Talamas, Mountain View, CA;
Nigel P.C. Walker, Burlingame, CA;
Marc Labelle, Burlingame, CA;

Assignment For Published Patent Application

Syntex (U.S.A.) LLC, Palo Alto, CA;
Tularik Inc., So. San Francisco, CA;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/243,581 10/26/2000

Foreign Applications

If Required, Foreign Filing License Granted: 03/11/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Antiinflammation agents

Preliminary Class

514

LICENSE FOR FOREIGN FILING UNDER
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Title 37, Code of Federal Regulations, 5.11 & 5.15

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